

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7528

ORDINANCE COUNCIL SERIES NO.: 24-

COUNCIL SPONSOR: SMITH/COOPER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. IMPASTATO

SECONDED BY: MR. CORBIN

ON THE 7TH DAY OF MARCH, 2024

ORDINANCE TO AUTHORIZE THE PARISH OF ST. TAMMANY, THROUGH THE OFFICE OF THE PARISH PRESIDENT, TO AMEND AN EXISTING CONSERVATION SERVITUDE WITH DELTA LAND HOLDING COMPANY, LLC, RIVER CLUB DEVELOPMENT, LLC, AND UNITED STATES ARMY CORP OF ENGINEERS, NEW ORLEANS DISTRICT TO AMEND RESTRICTIONS AGAINST DIVISION, PARTITION, SUBDIVISION OR CONVEYANCE (WARD 1, DISTRICT 1)

WHEREAS, St. Tammany Parish and Delta Land Holding Company, LLC are parties to that certain Louisiana Conservation Servitude last dated June 26, 2012 and recorded as Conveyance Instrument Number 1863016 pertaining to certain greenspace and wetlands within River Club Subdivision; and

WHEREAS, River Club Development, LLC has acquired interests in the subdivision from Delta Land Holding Company, LLC, and both parties desire to amend the conservation servitude to provide for development of certain lots in River Club Subdivision, portions of which remain encumbered by the conservation servitude.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Office of the Parish President is authorized to proceed with execution of the attached First Amendment to Louisiana Conservation Servitude, together with all agreements and all transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED: that any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____

SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 4TH DAY OF APRIL, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-_____.

ARTHUR LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: FEBRUARY 28, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____

Returned to Council Clerk: _____, 2024 at _____

Administrative Comment

Introduction: March 7, 2024

Adoption: April 4, 2024

Department: Civil Division – District
Attorney's Office

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The conservation servitude for certain greenspace parcels and certain wetlands was entered into before establishment of the River Club subdivision plat. Lots 84, 85, and 86 are encumbered in the rear by the conservation servitude. However, certain language in the original conservation servitude restricted resubdivision of property within the conservation servitude and created title issues for those three lots. The First Amendment to Conservation Servitude removes the no-resubdivision requirement from those lots while retaining that restriction on the greenspace parcels.

It is being represented that the U.S. Army Corps of Engineers has already approved this First Amendment.